

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

JOHNNY E. HOWARD,

Plaintiff,

v.

DAVIS COUNTY D.A. et al.,

Defendants.

DISMISSAL ORDER
& MEMORANDUM DECISION

Case No. 1:12-CV-14 DB

District Judge Dee Benson

Plaintiff, inmate Johnny E. Howard, filed this *pro se* civil rights suit, see 42 U.S.C.S. § 1983 (2012), proceeding *in forma pauperis*, see 28 *id.* 1915. Reviewing the Complaint, under § 1915(e), in an Order dated April 30, 2012, the Court determined that it was deficient for a variety of reasons. The Court then again gave Plaintiff direction for curing the deficiencies, sent him a "Pro Se Litigant Guide," with a blank-form civil rights complaint, and ordered him to cure the deficiencies within thirty days.

Plaintiff instead inappropriately submitted a document entitled, "Answer to Amend Deficiencies to Complaint @ Memorandum Decision." On July 12, 2012, the Court ordered Plaintiff to within thirty days show cause why his case should not be dismissed for failure to obey the Court's order to file an

amended complaint curing the deficiencies in his original complaint. Plaintiff has not responded.

IT IS THEREFORE ORDERED that Plaintiff's complaint is **DISMISSED** without prejudice for failure to state a claim under § 1915(e)(2)(B)(ii), failure to follow Court orders, and failure to prosecute.

DATED this 13th day of September, 2012.

BY THE COURT:

A handwritten signature in black ink, reading "Dee Benson", written over a horizontal line.

JUDGE DEE BENSON
United States District Court